

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: NAVIDEA BIOPHARMACEUTICALS  
LITIGATION

Case No.: 1:19-cv-01578-VEC

**DECLARATION OF BARRY M. KAZAN**  
**IN OPPOSITION TO MOTION FOR CONTEMPT**

Barry M. Kazan, an attorney duly admitted to practice law in the State of New York, under penalty of perjury, declares as follows:

1. I am lead counsel for Plaintiff Navidea Biopharmaceuticals, Inc. and Third-Party Defendant Macrophage Therapeutics, Inc. I submit this declaration in opposition to Defendant/Counterclaim Plaintiff/Third-Party Plaintiff Michael M. Goldberg's Motion for Contempt dated February 1, 2021.

2. Annexed hereto as Exhibit 1 is a true and correct copy of an email exchange between Barry Kazan and Gregory Zimmer dated January 22-January 26, 2021.

I declare under penalty under the laws of the United States of America that the foregoing is true and correct.

Dated: February 16, 2021

By:

  
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Barry M. Kazan